

IN THE CLAIMS:

Please cancel claim 7 without prejudice.

Please amend claims 1 through 6, 8, 11 through 14, 17, and 18 as follows.

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1. (Amended) A method for diverting articles selected for removal from a stream of articles traveling along a pathway on a conveyor, said method comprising the steps of:

locating a deflector member adjacent to said pathway;

rotating said deflector member into said pathway;

contacting a selected article;

controllably sweeping and removing said selected article from said stream of articles;

further rotating said deflector member out of said pathway to allow subsequent non-selected articles in said stream to continue along said pathway without being impeded by said deflector member; and

adapting a synchronous motor to act in response to a predetermined signal to cause the said rotations of said deflector member.

2. (Amended) A method for diverting beverage containers selected for removal from a stream of beverage containers traveling along a pathway on a conveyor, said method comprising the steps of:

locating a deflector member adjacent to said pathway, wherein said deflector member slightly deviates from the vertical toward said pathway;

rotating said deflector member into said pathway;

contacting a selected beverage container;

controllably sweeping and removing a selected beverage container from said stream of beverage containers;

reversing the rotation of said deflector member;

removing said deflector member from said pathway to allow subsequent non-selected beverage container in said stream to continue along said pathway without being impeded by said deflector member; and

adapting a synchronous motor to act in response to a predetermined signal to cause the said rotations of said deflector member.

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3. (Amended) The method according to Claim 1 or 2 wherein said deflector member is adapted to initially contact said selected article or said selected beverage container adjacent its centre of gravity.

4. (Amended) The method according to Claim 1 or 2 wherein said deflector member is adapted to initially contact said selected article or said selected beverage container at, or in a zone, immediately adjacent to and below, its centre of gravity.

5. (Amended) The method according to Claim 1 or 2 wherein a degree of and/or a speed of rotation of the deflector is variable and is determined by the predetermined signal to achieve a desired lateral movement of said selected article or said selected beverage container from said stream of the selected articles or said stream of selected beverage containers.

6. (Amended) The method according to Claim 4 wherein said signal originates from a sensing device and which identifies a specific condition selecting said article or said beverage container for rejection.

8. (Amended) A device for diverting an article selected for removal from a stream of articles traveling along a pathway on a conveyor said device comprising:

a synchronous electric motor; and

an article deflector member, wherein the deflector member is

(i) located adjacent said pathway;

(ii) rotatable by said motor into said pathway to contact and controllably sweep a

selected article from said stream and,

(iii) rotatable by said motor out of said pathway to allow subsequent unselected articles to continue traveling along said pathway without contacting said deflector member.

11. (Amended) The device according to Claim 9 wherein said motor is adapted to rotate said deflector member out of said pathway by rotating said deflector member in a reverse direction to said first rotation.

12. (Amended) The device according to Claim 8, further comprising a bracket means to secure said device to an associated conveyor.

13. (Amended) The device according to Claim 12 wherein said bracket means is provided with an adjusting means adapted to allow a position of said article deflector means to be varied in a vertical and/or horizontal position relative to said pathway of said associated conveyor.

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14. (Amended) A device for diverting an article selected for removal from a stream of articles traveling along a pathway on a conveyor said device comprising

a conveyor;

a synchronous electric motor; and

an article deflector member, wherein said article deflector member is located adjacent said pathway, rotatable by said motor into said pathway to contact and controllably sweep a selected article from said stream, and rotatable by said motor out of said pathway to allow subsequent unselected articles to continue traveling along said pathway without contacting said deflector member.

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17. (Amended) The device according to Claim 14 or 15, further comprising a bracket means to secure said deflector member to said conveyor.

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18. (Amended) The device according to Claim 14 wherein said bracket means comprises an adjusting means adapted to allow the position of said article deflector means to be varied in a vertical and/or horizontal position relative to said pathway of said conveyor.